

FORM PTO-1390 (Modified) (REV. 11-2000) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 1053.001B
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR Not yet assigned 107500938
INTERNATIONAL APPLICATION NO. PCT/US03/00741	INTERNATIONAL FILING DATE 10 January 2003 (10.01.03)	PRIORITY DATE CLAIMED 11 January 2002 (11.01.02)
TITLE OF INVENTION Audio System Based on at Least Second-Order Eigenbeams		
APPLICANT(S) FOR DO/EO/US Gary W. Elko, Robert A. Kubli, and Jens M. Meyer		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input checked="" type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 		
Items 13 to 20 below concern document(s) or information included: <ol style="list-style-type: none"> 13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A change of power of attorney and/or address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 22. <input checked="" type="checkbox"/> Express Mail Label No. <u>EV140152894US</u> 23. <input checked="" type="checkbox"/> Other items or information: Postcard (1); Check for \$955.00; Certificate of Mailing Under 37 CFR 1.10; Copy of Published International Application No. PCT/US03/00741 (filed and published in English); and 7 References. 		

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Not yet assigned

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24. The following fees are submitted:

CALCULATIONS PTO USE ONLY

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1080.00
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$920.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$770.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$730.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$920.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	75 - 20 =	55	x \$18.00	\$990.00
Independent claims	2 - 3 =	0	x \$86.00	\$0.00
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00

TOTAL OF ABOVE CALCULATIONS = **\$1,910.00**

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$955.00

SUBTOTAL = **\$955.00**

Processing fee of \$130.00 for furnishing the English translation later than 20 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00

TOTAL NATIONAL FEE = **\$955.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

\$0.00

TOTAL FEES ENCLOSED = **\$955.00**

Amount to be: refunded	\$
charged	\$

- a. A check in the amount of **\$955.00** to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
- c. The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **50-0782**
- d. Fees are to be charged to a credit card. **WARNING: Information on this form may become public. Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No.: 22186

Steve Mendelsohn
Mendelsohn & Associates, P.C.
1515 Market Street
Suite 715
Philadelphia, Pennsylvania 19102
US

SIGNATURE

Steve Mendelsohn

NAME

35,951

REGISTRATION NUMBER

7|8|04

DATE

10/500938

DT04 Rec'd PCT/PTO 08 JUL 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. 1053.001B

In re application of: Gary W. Elko, Robert A. Kubli, and Jens M. Meyer

Serial No.: Not yet assigned

Group No.: Not yet assigned

Filed: Not yet assigned

Examiner: Not yet assigned

For: Audio System Based on at Least Second-Order Eigenbeams

**CERTIFICATE OF MAILING BY
EXPRESS MAIL UNDER 37 CFR 1.10**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

ENCLOSED ARE:

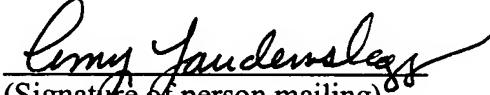
1. Check in the amount of \$955.00;
2. Certificate of Mailing by Express Mail Under 37 C.F.R. 1.10 (1 page);
3. Transmittal of A Filing Under 35 U.S.C. 371 Form PTO-1390 (2 pages);
4. Copy of Published International Application No. PCT/US03/00741 (54 pages);
5. Information Disclosure Statement with Form PTO-1449 (3 pages);
6. International Search Report (PCT/ISA/210) (3 pages) with 7 references; and
7. Combined Declaration and Power of Attorney (5 pages).

I hereby certify that this **Transmittal Letter Concerning a Filing Under 35 USC 371, and all papers referenced** is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop PCT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

"Express Mail" Mailing Label No. EV140152894US

Date of Deposit 07/08/2004

Amy Laudenslager
(Name of person mailing)


(Signature of person mailing)